

[illegible]

NOW, this 7th day of February, 2018, upon consideration of the Motion of Defendant, Holy Redeemer Health System, Inc. d/b/a Holy Redeemer Hospital, to Dismiss Amended Class Action Complaint (Document No. 13), the plaintiffs' response, and the defendants' reply, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

1. To the extent the motion seeks to dismiss the case for lack of subject matter jurisdiction, it is **DENIED**.

2. To the extent the motion seeks dismissal under Fed. R. Civ. P. 12(b)(6), it is converted to a motion for summary judgment.

/s/TIMOTHY J. SAVAGE

